

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

Billy Jones
Plaintiff,

v.

Case No. 1:12-CV-00565 KG/SMV

Danny Pacheco, et al.,
Defendants.

DEFENDANTS' UNOPPOSED MOTION FOR STAY OF ACTION
WHILE QUALIFIED IMMUNITY ISSUE IS ON APPEAL

COME NOW the Defendants, by and through their attorneys, Basham & Basham, P.C. (Katherine A. Basham, Esq.), and hereby move this Court for a stay of this action while the qualified immunity issue is on appeal. “[Q]ualified immunity ‘protects public officials not only from liability, but from the burdens of discovery and litigation as well.’” *B.T. v. Davis*, 557 F.Supp.2d 1262, 1286 (D.N.M. 2007), *quoting DiCesare v. Stuart*, 12 F.3d 973, 979 (10th Cir. 1993). Plaintiff does not oppose this motion.

WHEREFORE, Defendants respectfully request that the Court stay this action while the qualified immunity issue is on appeal.

Respectfully Submitted,
Electronically Filed
/s/ Mark A. Basham
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I hereby certify that a true and correct copy of the foregoing was served on Shannon Kennedy, The Kennedy Law Firm, electronically through the U.S. District Court CM/ECF program on the 21st day of January, 2015.

/s/ Mark A. Basham
Mark A. Basham